



**AUSTIN CITY COUNCIL  
MINUTES**

**REGULAR MEETING  
THURSDAY, MARCH 6, 2014**

**Invocation:** Father Wade Russell, Associate Pastor, St. Theresa's Catholic Church

**The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, March 6, 2014 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.**

**Mayor Pro Tem Cole called the Council Meeting to order at 10:05 a.m. Mayor Leffingwell was absent.**

**CONSENT AGENDA**

**The following items were acted on by one motion.**

1. Approve the minutes of the Austin City Council work session and discussion meetings of February 25, 2014 and regular meeting of February 27, 2014.  
**The minutes from the City Council work session and discussion meetings of February 25, 2014, and regular meeting of February 27, 2014 were approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**
2. Authorize negotiation and execution of an agreement with Staybridge Suites, to provide a performance-based incentive for the generation of solar energy at its new-construction facility located at 13000 North I-35, Austin, Texas 78753, for an estimated \$12,152 per year, for a total amount not to exceed \$121,520 over a 10-year period.  
**The motion authorizing the negotiation and execution of an agreement with Staybridge Suites was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**
3. Authorize negotiation and execution of an interlocal agreement with the cities of Round Rock, Leander, and Cedar Park concerning the capacity, operation, maintenance, and improvements to the Southwest Interceptor of the Brushy Creek Regional Wastewater System, and authorize the City's share of funding for capital improvements to portions of the Southwest Interceptor in an amount not to exceed \$1,700,000.  
**The motion authorizing the negotiation and execution of an interlocal agreement with Round Rock, Leander and Cedar Park was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**
4. Approve an ordinance establishing the value of the exemption from ad valorem taxes for a portion of the appraised value of residential homesteads owned by individuals who are disabled or are 65 years of age or older.

**This item was postponed on consent to March 20, 2014 on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**

5. Authorize negotiation and execution of an amendment to the professional services agreement with HDR ENGINEERING, INC. for engineering services for additional design phase and construction phase services for Shoal Creek Greenbelt at Pease Park Water Quality and Stream Restoration (15th to 28th Streets Capital Improvement Project) in the amount of \$86,206, for a total contract amount not to exceed \$1,388,337. Related to Item #6. (Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) with 17.45% MBE and 15.27% WBE subconsultant participation to date.)  
**The motion authorizing the negotiation and execution of an amendment to the professional services agreement with HDR Engineering, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**
6. Authorize execution of a construction contract with SANTA CLARA CONSTRUCTION, LTD., for Shoal Creek Restoration Project- 15th to 28th Streets in the amount of \$6,241,721 plus a \$624,172 contingency, for a total contract amount not to exceed \$6,865,893. Related to Item #5. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 91.06% MBE and 6.81% WBE participation.) June 25, 2013- Unanimously recommended by the Parks and Recreation Board.  
**The motion authorizing the execution of a construction contract with Santa Clara Construction, Ltd. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**
7. Authorize negotiation and execution of a construction contract with CHASCO CONSTRUCTORS, LTD. LLP, for the Extend Taxiway A North & South Ends project in the amount of \$6,974,681.40 plus a \$697,468.60 contingency, for a total contract amount not to exceed \$7,672,150. (Notes: This contract will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Procurement) and City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 14.38% DBE participation.)  
**The motion authorizing the negotiation and execution of a construction contract with Chasco Constructors, Ltd. LLP was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**
8. Authorize execution of a change order to the construction contract with SMITH CONTRACTING CO., INC., for utility and general right-of-way improvements to Davis/Deer Lane from Brodie to Corran Ferry project, in the amount of \$382,263.11 for a total contract amount not to exceed \$4,882,304.11.  
**The motion authorizing the execution of a change order to the construction contract with Smith Contracting Co., Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**
9. Authorize negotiation and execution of an agreement between the City and the COMMUNITY CARE COLLABORATIVE to provide ground emergency medical transport services to the Travis County Healthcare District's (d/b/a Central Health) eligible Medical Access Program beneficiaries for a fee of \$696,822, for an initial term of one year beginning October 1, 2013.  
**The motion authorizing the negotiation and execution of an agreement between the City and the Community Care Collaborative was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**
10. Approve an ordinance establishing specialized functions, certifications and assignments for firefighters within the Fire Department; establishing requirements and criteria for additional pay; and repealing Ordinance No. 020926-13 relating to specialty pay in the Fire Department.

**Ordinance No. 20140306-010 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**

11. Approve an ordinance authorizing acceptance of \$37,596 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, and amending the Fiscal Year 2013-2014 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20130909-001), to appropriate \$37,596 for programs authorized under the Texas Health and Safety Code: Office of Public Health Practice Program, HIV Surveillance Control Program, Sexually Transmitted Disease Control, Refugee Health Screening Program, Tuberculosis (TB) Prevention and Control Federal Program, TB Prevention and Control State Program, Public Health Emergency Preparedness Program, Immunization Program and Community Diabetes.

**Ordinance No. 20140306-011 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**

**Item 12 was pulled for discussion.**

13. Approve an exemption under City Code Section 10-6-3(11) to authorize one temporary designated smoking area at Auditorium Shores on March 13, 14, and 15, 2014, for the South by Southwest Music Festival.

**The motion to approve an exemption to authorize one temporary designated smoking area at Auditorium Shores on March 13, 14 and 15, 2014 for the South by Southwest Music Festival was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**

14. Authorize award and execution of a 36-month requirements supply agreement with INGRAM LIBRARY SERVICES INC. to provide DVD and Blu-Ray videos in an amount not to exceed \$1,118,592 with three 12-month extension options in an amount not to exceed \$372,864 per extension option, for a total contract amount not to exceed \$2,237,184. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

**The motion authorizing the award and execution of a requirements supply agreement with Ingram Library Services Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**

15. Authorize award and execution of a 24-month requirements supply agreement with two 12-month extension options with BRENNTAG SOUTHWEST, INC., for the purchase of liquid ammonium sulfate for the Austin Water Utility in an amount not to exceed \$145,280 with two 12-month extension options in an amount not to exceed \$72,640 per extension option, for a total contract amount not to exceed \$290,560. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.)

**The motion authorizing the award and execution of a requirements supply agreement with Brenntag Southwest, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**

16. Authorize award, negotiation, and execution of a 6-month interlocal agreement between the City and the Capital Area Council of Governments for digital aerial imagery in an amount not to exceed \$54,946. (Notes: This Interlocal Agreement is exempt from the MBE/WBE Ordinance. This exemption is in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

**The motion authorizing the award, negotiation and execution of an interlocal agreement between the City and the Capital Area Council of Governments was approved on consent on Council**

**Member Spelman’s motion, Council Member Morrison’s second on a 6-0 vote. Mayor Leffingwell was absent.**

**Item 17 was pulled for discussion.**

- 18. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members. **The following appointments were approved on consent on Council Member Spelman’s motion, Council Member Morrison’s second on a 6-0 vote. Mayor Leffingwell was absent.**

**Nominations**

**Board/Nominee**

**Nominated by**

Commission on Seniors  
Dan Pruett

Mayor Leffingwell

Commission on Seniors  
Dr. Erica Garcia-Pittman

Council Member Martinez

Commission on Seniors  
Jacqueline Angel

Council Member Morrison

Community Technology and Telecommunications Commission  
Tracy LaQuey Parker

Council Member Tovo

**Waivers**

There are no waivers scheduled for today.

- 19. Approve an ordinance waiving or reimbursing certain fees for the "Hamlet" performances sponsored by Something for Nothing Theater which are to be held on May 22-24, 2014, May 29-31, 2014, and June 5-7, 2014, at Ramsey Neighborhood Park. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Laura Morrison CO 2: Council Member Mike Martinez) **Ordinance No. 20140306-019 was approved on consent on Council Member Spelman’s motion, Council Member Morrison’s second on a 6-0 vote. Mayor Leffingwell was absent.**
- 20. Approve an ordinance waiving or reimbursing certain fees for the 2014 Marathon Kids Finisher Medal event sponsored by Marathon Kids which was held Saturday, February 22, 2014 at Toney Burger Stadium. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Kathie Tovo) **Ordinance No. 20140306-020 was approved on consent on Council Member Spelman’s motion, Council Member Morrison’s second on a 6-0 vote. Mayor Leffingwell was absent.**
- 21. Approve a resolution directing the City Manager to conduct a stakeholder process to consider changes to the sidewalk café regulations, including associated fees, processes, and use of permits instead of license agreements, and bring a report outlining any changes and recommended code amendments back to Council within 90 days. (Notes: SPONSOR: Council Member Chris Riley CO 1: Mayor Pro Tem Sheryl Cole) **Resolution No. 20140306-021 was approved on consent on Council Member Spelman’s motion, Council Member Morrison’s second on a 6-0 vote. Mayor Leffingwell was absent.**

22. Approve a resolution directing the City Manager to work with appropriate stakeholders to research the feasibility of a Major League Soccer franchise locating in Austin. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Mayor Lee Leffingwell CO 2: Council Member William Spelman)  
**Resolution No. 20140306-022 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**
23. Approve a resolution directing the City Manager to provide Council with written quarterly Code Compliance reports that provide activity and output-based metrics, to develop outcome-based performance measures for inclusion in the annual budget documents for the Code Compliance Department, and to provide the performance measures to City Council. (Notes: SPONSOR: Council Member William Spelman CO 1: Council Member Laura Morrison CO 2: Council Member Chris Riley)  
**Resolution No. 20140306-023 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**

**Item 24 was pulled for discussion.**

25. Approve a resolution directing the City Manager to consider the tenets of the Imagine Austin Comprehensive Plan, keep the community actively informed and engaged throughout the process, and keep as a priority improved east-west connectivity when discussing the potential alternatives for I-35 corridor improvements. (Notes: SPONSOR: Council Member Chris Riley CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Laura Morrison)  
**Resolution No. 20140306-025 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**
26. Approve a resolution directing the City Manager to coordinate with the City Clerk and the City Attorney to schedule a Special Called Meeting on one Saturday in 2014 for a three-hour Citizens Forum. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Mike Martinez)  
**Resolution No. 20140306-026 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**
27. Set a public hearing to consider an ordinance amending City Code Chapter 25-2 to create a Lake Austin (LA) District Zoning overlay extending environmental protections from the LA base zoning district to all properties within 1,000 feet of Lake Austin. (Suggested date and time: April 10, 2014, 4:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX.) Related to Item #28.  
**This item was postponed on consent to March 20, 2014 on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**
28. Set a public hearing to consider an ordinance amending sections of City Code Chapters 25-2, 25-5, 25-7 and 25-8 relating to Lake Austin (LA) District zoning regulations and general regulations for boat dock and shoreline development. (Suggested date and time: April 10, 2014, 4:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX.) Related to Item #27.  
**This item was postponed on consent to March 20, 2014 on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**

Items 29 through 31 were Executive Session items.

Items 32 through 37 were zoning items set for 2:00 p.m.

Item 38 was an AHFC item set for 3:00 p.m.

Items 39 through 41 were public hearing items set for 4:00 p.m.

DISCUSSION ITEMS

- 12. Approve a resolution adopting the Austin Urban Forest Plan: a Master Plan for Public Properties as required under City Code Section 2-1-183(E).  
**Resolution No. 20140306-012 was approved with direction on Council Member Tovo’s motion, Council Member Spelman’s second on a 6-0 vote. Mayor Leffingwell was absent. Direction was given to staff to return to the Environmental Board and the Urban Forestry Board and invite any recommendation for realignment when the data collection is complete.**
  
- 17. Approve an ordinance amending City Code Section 12-4-64(D) to add a segment of Manor Road to the table of streets as having a maximum speed limit of 20 miles per hour, during certain times, for students attending Austin Achieve School; and provide for emergency passage.  
**Ordinance No. 20140306-017 was approved on Council Member Martinez’ motion, Council Member Morrison’s second on a 6-0 vote. Mayor Leffingwell was absent.**
  
- 24. Approve a resolution creating an Austin Generation Resource Planning Task Force to examine and make recommendations regarding the 2014 update to Austin Energy's Resource, Generation, and Climate Protection Plan. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Laura Morrison CO 2: Council Member William Spelman)  
**Resolution No. 20140306-024 was approved with the following amendment on Council Member Tovo’s motion, Council Member Morrison’s second on a 6-0 vote. Mayor Leffingwell was absent. The amendment was to insert the following language below the second “Whereas” and have it read, “Whereas, in 2011 the City Council adopted an affordability goal for Austin Energy (AE) to operate in such a way as to limit rate increases to 2 percent per year, and for AE to maintain competitive rates within the lower 50 percent among benchmark cities;”.**

There was a friendly amendment made by Council Member Spelman to amend number five of the resolution to read, “5. The task force will be subject to the open meetings act, all meetings will be open to the public, and the public will be given a reasonable amount of time.” The amendment was accepted by the maker of the motion and by Council Member Morrison, who made the second.

Mayor Pro Tem Cole recessed the Council Meeting at 11:31 a.m.

Mayor Pro Tem Cole called the Council Meeting back to order at 12:01 p.m.

CITIZEN COMMUNICATIONS: GENERAL

Jeff Crunk--Austin Energy Generation Plan

Adam Reposo--Art Acevedo

Kat Jones--Khabele School--Brodie Campus—expansion **Not present when name was called.**

Marlene Bell-Nwagboso—Homelessness **Not present when name was called.**

Debbie Russell--Police issues

Nelson Linder--City of Austin 2013 Financial Report

David Van Os--Austin Police Department **Not present when name was called.**

Tiféa L. Huey--My property no psychological projection, my fair trial, safety and harassment, cyberstalking La'Queala Request, Kay Bailey Hutchison, Sandra T. Henderson, Lloyd Doggett, John Cornyn, Military, Yale Professor/Technology **Not present when name was called.**

Ryan Nacol--Maximum number of unrelated persons allowed to stay in a short-term rental.

Brian McGiverin--Affordable housing

**Mayor Pro Tem Cole recessed the Council Meeting to go into Executive Session at 12: 25 p.m.**

**EXECUTIVE SESSION**

**The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.**

- 29. Discuss legal issues related to Open Government matters (Private consultation with legal counsel-Section 551.071 of the Government Code).  
**This item was withdrawn.**
- 30. Discuss legal issues related to the transition to electing the council from single-member districts (Private consultation with legal counsel- Section 551.071 of the Government Code).  
**This item was withdrawn.**
- 31. Discuss legal issues related to Austin Fire Department hiring process (Private consultation with legal counsel-Section 551.071 of the Government Code).

**Executive Session ended and Mayor Pro Tem Cole called the Council Meeting back to order at 3:04 p.m.**

**Mayor Pro Tem Cole recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 3:04 p.m. See separate minutes.**

**Mayor Pro Tem Cole called the Council Meeting back to order at 3:06 p.m.**

**ZONING CONSENT ITEMS (HEARINGS CLOSED)**

**The following zoning items were acted on by one motion. No separate action occurred on any of the items.**

- 32. C14-2013-0083 - 2416 E. 6th Street - Approve second/third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2416 East 6th Street (Lady Bird Lake Watershed) from limited industrial service-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. First reading approved on February 13, 2014. Vote: 6-0 (Mayor Pro Tem Cole-off the dais). Owner: 2416 East Sixth Street LP (M. Timothy Clark). Applicant: Big Red Dog - Austin, LLC (Bob Brown). City Staff: Heather Chaffin, 512-974-2122.  
**This item was postponed on consent to April 17, 2014 at the applicant's request on Council Member Spelman's motion, Council Member Riley's second on a 6-0 vote. Mayor Leffingwell was absent.**
- 35. C14-2012-0067(RCT) - La Estancia del Rio Restrictive Covenant Termination - Conduct a public hearing to terminate a restrictive covenant on property locally known as 1700 1/2 Frontier Valley Drive (Carsen Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination. Planning

Commission Recommendation: To grant the restrictive covenant termination. Owner: Standard Pacific Homes of Texas, Inc. (Jay Byler). Applicant: Big Red Dog Engineering (Nicholas Kehl, PE). City Staff: Lee Heckman, 512-974-7604.

**This item was postponed on consent to March 20, 2014 at the applicant's request on Council Member Spelman's motion, Council Member Riley's second on a 6-0 vote. Mayor Leffingwell was absent.**

37. C14-2013-0136 - Austin Elm Terrace, LP - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 3215 Exposition Boulevard (Taylor Slough South Watershed) from unzoned (UNZ) and family residence (SF-3) district zoning to multi-family residence-low density (MF-2) district zoning. Staff Recommendation: To grant townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning. Planning Commission Recommendation: To be reviewed on March 25, 2014. Owner/Applicant: Austin Elm Terrace, LP (Steve Beuerlein). Agent: Husch Blackwell, LLP (Jerry L. Harris). City Staff: Sherri Sirwaitis, 512-974-3057.
- This item was postponed on consent to April 10, 2014 at the staff's request on Council Member Spelman's motion, Council Member Riley's second on a 6-0 vote. Mayor Leffingwell was absent.**

### ZONING DISCUSSION ITEMS

36. C14-2013-0107 - 600 Kemp Street - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 600 Kemp Street (Country Club West Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning, with conditions. Planning Commission Recommendation: To deny townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning, with conditions. Owner: Kemp Street Properties, LLC. Applicant: Thrower Design (Ron Thrower). City Staff: Lee Heckman, 512-974-7604.
- This item was postponed to March 20, 2014 at a time certain of 7:00 p.m. on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Mayor Leffingwell was absent.**
34. C814-88-0001(RCA) - Canyons @ Rob Roy Rezoning - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 800 North Capital of Texas Highway (Bee Creek Watershed) as it relates to certain uses and development standards. Staff Recommendation: To grant an amendment to a portion of the Restrictive Covenant as it relates to certain uses and development standards. Zoning and Platting Commission Recommendation: To grant an amendment to a portion of the Restrictive Covenant as it relates to certain uses and development standards. Owner: Brandywine Acquisition Partners (Ralph Bistline). Applicant: G5 Texas Development, L.L.C. (Jim Gallegos). Agent: Armbrust & Brown, PLLC (Richard Suttle). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Wendy Rhoades, 512-974-7719.
- The public hearing was conducted and the motion to close the public hearing and approve the restrictive covenant amendment was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Mayor Leffingwell was absent.**
33. C814-88-0001.10 - Canyons @ Rob Roy Rezoning - Approve third reading of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 800 North Capital of Texas Highway (Bee Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change a condition of zoning. First Reading approved on January 30, 2014. Vote: 7-0. Second Reading approved on February 13, 2014. Vote: 6-0, Mayor Pro Tem Cole off the dais. Owner: Brandywine Acquisition Partners (Ralph Bistline). Applicant: G5 Texas Development, L.L.C. (Jim Gallegos). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Wendy Rhoades, 512-974-7719. City Staff: Wendy Rhoades, 512-974-7719. A valid petition has been filed in opposition to this rezoning request.

**Ordinance No. 20140306-033 for planned unit development (PUD) district zoning, to change a condition of zoning was approved on Council Member Spelman’s motion, Mayor Pro Tem Cole’s second on a 6-0 vote. Mayor Leffingwell was absent.**

**PUBLIC HEARINGS AND POSSIBLE ACTIONS**

39. Conduct a public hearing and consider an ordinance amending City Code Chapters 25-1 and 25-5 relating to vested development rights under Chapter 245 and Section 43.002 of the Texas Local Government Code.

**This item was postponed to April 10, 2014 without objection.**

41. Conduct a public hearing and consider approving the Master Plan for Holly Shores/Edward Rendon Sr. Park at Festival Beach, Fiesta Gardens as developed in conjunction with Michael Van Valkenburgh & Associates, Inc. and the Austin Parks and Recreation Department. The Master Plan area includes approximately 9 acres of newly dedicated parkland and approximately 90 acres of existing parkland along the north shore of Lady Bird Lake from I-35 east to Pleasant Valley Road and south of Canterbury Street.

**There was a motion made by Council Morrison and seconded by Council Member Martinez to postpone this item to April 17, 2014 with direction.**

**Direction was given to staff to:**

- 1. Consider treating the park area as a district park as opposed to a metro park.**
- 2. Speak with the community and come back with options with the bridge removed.**
- 3. Consider and speak with the community about options on the lagoon and whether or not it’s active recreation or passive recreation.**
- 4. Provide limits on the number of events (the numbers possibly will differ depending on the size of the event).**
- 5. Devise a way to include policy direction in the master plan to make the implementation and enhancements compatible to the existing neighborhood and non-invasive.**
- 6. Work with the community and come back with a recommendation.**

**There was a friendly amendment made by Council Member Martinez to postpone the item to May 22, 2014 at a time certain of 7:00 p.m. along with direction. This was accepted by the maker of the motion. Direction was given to staff to revisit: the differences as it relates to the food forest concept; the pedestrian bicycle bridge; changes to longhorn dam; and reconfiguring roadway through the middle of the park and between the ball fields and if possible, build consensus.**

**Direction was given to staff to provide clarification on where the issue of the pedestrians on the Longhorn Dam stands and to address issues of a community outreach.**

**This item was postponed to May 22, 2014 at a time certain of 7:00 p.m. with the directions listed above on Council Member Morrison’s motion, Council Member Martinez’ second on a 6-0 vote. Mayor Leffingwell was absent.**

40. Conduct a public hearing and consider an ordinance regarding floodplain variances for the construction of a new single-family residence and a second dwelling at 5505 Jim Hogg Avenue as requested by the owner of the property. The property is partially in the 25-year floodplain and entirely in the 100-year floodplain of the Hancock Branch of Shoal Creek.

**There was a motion made by Council Member Martinez and seconded by Council Member Morrison to deny the floodplain variances.**

**There was a substitute motion made by Council Member Riley and seconded by Mayor Pro Tem Cole to approve the ordinance. The motion was later withdrawn by Council Member Riley.**

There was a substitute motion made by Council Member Riley and seconded by Mayor Pro Tem Cole to postpone this item to March 20, 2014. The motion passed on a vote of 6-0. Mayor Leffingwell was absent.

Mayor Pro Tem Cole adjourned the meeting at 5:17 p.m. without objection.

**LIVE MUSIC**

Little Brave

**PROCLAMATIONS**

Proclamation -- Narcolepsy Awareness Day/Suddenly Sleepy Saturday -- to be presented by Mayor Pro Tem Cole and to be accepted by Kanika Nicholson

Proclamation -- OnRamp Day -- to be presented by Mayor Pro Tem Cole and to be accepted by Chad Kissinger and Lucas Braun

Proclamation -- Del Valle ISD Fine Arts Festival -- to be presented by Mayor Pro Tem Cole and to be accepted by Jenny Parry

The minutes were approved on this the 20th day of March, 2014 on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Mayor Leffingwell abstained.